

***ICRC investigates and resolves civil rights complaints*** ICRC works to prevent and resolve discrimination based on disability, sex, race, age, sexual orientation, gender identity, national origin, religion, creed, color, pregnancy, and marital and family status. Our state and local civil and human rights agencies provide cost effective and accessible investigatory processes that resolve discrimination complaints in the areas of employment, education, public accommodations (public services), housing, and credit. Complainants can file with or without an attorney; there are no costs for filing. To prevent discrimination and further voluntary compliance, ICRC offers training, education, and community outreach (in FY08, 231 presentations to 11,213 individuals). Chapters 216 of the Code, along with our administrative rules, govern the substance and process of the work of the Commission.

***Civil Rights achieves resolutions***

ICRC receives and resolves about 2,000 complaints each year. Our investigators are trained to be neutral during our investigatory work. Out of these cases, from about 250 to 300 complainants each year receive some kind of settlement or remedy at the end of the process. In these resolutions, the case is successfully mediated, withdrawn, or otherwise settled without a case ever having an administrative hearing, let alone litigated in court. Only a small percentage of cases actually go to court. With our strong (and early in the process) mediation efforts, the Civil Rights Commission takes a graduated approach to resolving complaints which is cost effective and efficient.

***Timelines for case resolution and number of unresolved cases ('backlogs').***

ICRC has reduced both the length of time for the average case to be resolved and the overall waiting list. The wait list/length of time has been reduced to the lowest level in nearly a decade from a high approaching 500 to about 200. Any delay or backlog is still a problem. It could become more severe as recent increases in case filings may continue into 2009 and 2010. We have already seen more than a doubling in our housing cases in less than 2 years. Employment caseload increases may occur given changing demographics. We continue to meet our performance standard for the length of time in processing cases, less than 300 days. Any increase in backlogs will harm our ability to deliver a fair resolution and damage credibility and integrity in the eyes of both complainants and respondents.

- Compared to 2001, ICRC has about 26% fewer staff. Innovative grants and contracts, along with staff restructuring, have managed to stabilize case backlog on a temporary basis.

**Past efforts to save resources.** – Beginning in the fall of 2004, ICRC has undertaken three re-structurings to help fill staff vacancies. Restructuring efforts have included elimination, combination or restructuring job of positions and responsibilities. These positions included the legislative liaison, IT coordinator, budget director, accounting technician, translation coordinator, the administrative rules contact, and the Commission secretary. To save resources in 2004-05, ICRC utilized layoffs and furloughs. In 2006, ICRC entered into ongoing contracts with the Department of Public Health to meet support needs. In 2007, ICRC entered into an innovative contract with Iowa Legal Aid (a private, not-for-profit) to assist in intake (filtering out non-meritorious cases, while assisting in filing of cases that may have merit) and alternative dispute resolution (using volunteer attorneys to mediate cases, prior to any public hearing or court action).

- To strengthen efforts at preventing discrimination and educating the public, ICRC has successfully used AmeriCorps VISTAs to assist in training, capacity building and networking with local commissions, communities and stakeholder groups across the state. This effort may be unique in this country.
- To stretch resources, ICRC partners with local agencies across the state through 12 sub-contracts.
- ICRC is required to do a large volume of copying; most of the work is done by our volunteers.
- To the greatest extent possible we conduct over the phone interviews, unless otherwise required by contract, saving enormous amounts of in-state travel costs.

**Federal funding and mandates.** -- The Federal Department of Housing and Urban Development (HUD) and the U.S. Equal Employment Opportunity Commission (EEOC) require ICRC to investigate and resolve discrimination in housing and employment. State law requires investigation of discrimination in education, credit, and public accommodations, in addition to housing and employment. Federal domestic cuts have forced ICRC to be innovative, but also to approach past legislatures for assistance. The legislature in 2007 acted to help ICRC avoid further layoffs, and to fill some of its long-standing vacancies.

- ICRC receives up to \$2400 per completed HUD case and \$540 per completed EEOC case. Our federal contracts and ICRC budget are put at risk if we are unable to process a certain number of cases in an acceptable time frame. Reasonable staffing levels insure conducting fair and adequate case investigation and successfully drawing down federal dollars.

**Cost savings.** – ICRC acts as a neutral fact finder through the investigation process. We administratively resolve allegations and complaints of discrimination, involving the public and private sectors, in rural and urban Iowa. Compared to the out-of-pocket costs of a court case and the duration of judicial resolutions, we offer a cost efficient system for resolving disputes between a complainant and the business, employer, or landlord respondents. Our mediation system achieves an expedited resolution to cases, beneficial to all parties.

One cost estimate for litigation of a civil rights case is \$20,000 in defense costs, potential court costs and, possibly, plaintiff fees. Combined, both parties could exceed \$40,000 or more in legal and court costs to process a case. The average cost per case for ICRC is about \$1300 (based on 2000/year).

During the investigation of complaints, rarely are parties required to leave their home or their businesses to participate in investigations because most interviews are done by telephone or onsite. This means that complainants do not miss work to speak to the Commission, since the interviews can be conducted during evening or weekend hours and businesses are not required to travel to Des Moines, or the county seat, to provide testimony during investigation.

**Bottom line:** Action by the Civil Rights Commission is a win-win proposition for complainants, respondents, and the State of Iowa. A complainant with a valid case may be more likely to achieve justice. Complainants can receive settlements in an expeditious manner. From the viewpoint of Respondents, cases without merit can be more efficiently closed. In surveys, respondents' lawyers report satisfaction with the actions of the commission. Employers and landlords report satisfaction with training offered by ICRC staff which helps prevent discrimination (and complaints from ever being filed).

**Working towards the future.** -- An effective discrimination enforcement agency helps Iowa increase the pool of qualified workers, in turn insuring Iowa receives as broad based economic contributions as possible from all sectors of society. To attract and sustain a pool of highly skilled workers, our agency assists in educating, training and recruiting a culturally competent workforce. Our agency educates business and industry on discrimination laws and diversity issues to prevent problems and provide a more welcoming economic climate.

- Our goal to be a state that understands and appreciates diversity will be compromised if we cannot quickly process, mediate and investigate cases, or provide training and education.

ICRC is a partner in the Governor's vision of One Iowa. Without this system of justice, Iowa would lose the value of contributions of all members of society and lose the image as a welcoming, safe state, ready for a diverse, global workforce. Creating safe and attractive living and work environments, attracting and sustaining a pool of highly skilled workers, enhancing and promoting equality and justice are dependent on Iowa being a state free from discrimination and free from loss of dignity, humanity and economic loss.